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Report of the International Court of Justice

Secretary-General's Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to paragraph 16 of the Revised Terms of Reference, Guidelines and Rules of the Secretary-General's Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice (A/59/372, annex), and is subsequent to the report submitted to the General Assembly at its sixty-third session (A/63/229).

II. Mandate

2. The Trust Fund was established in 1989 under the Financial Regulations and Rules of the United Nations following consultations with the President of the International Court of Justice. In accordance with the Revised Terms of Reference, financial assistance is to be provided to States for expenses incurred in connection with (a) a dispute submitted to the Court by way of a special agreement, on the basis of Article 36, paragraph 1, of its Statute; (b) a dispute submitted to the Court by way of an application on the basis of Article 36, paragraphs 1 and 2, of its Statute, provided certain conditions are fulfilled (see A/59/372, annex, para. 6 (ii)); or (c) the execution of a judgment of the Court.

III. Beneficiaries

3. Subject to the requirements of paragraph 6 of the Revised Terms of Reference, an application for financial assistance from the Fund may be submitted by any State

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Member of the United Nations, any other State party to the Statute of the International Court of Justice or any State not party to the Statute of the Court having complied with Article 35, paragraph 2, of the Statute.

4. During the period under review (1 July 2008 to 30 June 2009), the Fund did not receive any applications.

IV. Contributions

5. Voluntary contributions to the Fund may be made by States, intergovernmental organizations, national institutions and non-governmental organizations, and by natural and juridical persons.

6. During the period under review, States contributed the following amounts, in United States dollars, to the Fund:

State	*Amount*	*Financial year*
Mexico	20 000.00	2008
Finland	12 619.50	2008
Total	**32 619.50**	

7. As of 30 June 2009, the total balance of the Fund was $2,687,770.61. This amount excludes awards that have already been paid.

V. Needs assessment

8. The Charter of the United Nations, in Article 1, paragraph 1, recognizes the settlement of international disputes "by peaceful means, and in conformity with the principles of justice and international law" as one of the basic purposes of the United Nations and as an essential tool for the maintenance of international peace and security. The Court is the principal judicial organ of the Organization. As noted above, the Fund was created with a view to facilitating a decision by parties to a dispute to seek judicial settlement of their dispute through the Court. As noted in my previous reports, despite numerous appeals — the most recent of which was circulated on my behalf by a letter dated 13 May 2009 from the Legal Counsel — the Fund has had a decreasing level of resources since its inception. While I am grateful to those Member States which contributed to the Fund during the period under review, I also note that the number of contributions remains very low. Thus, I strongly urge all States and other relevant entities to give serious consideration to making contributions to the Fund substantially, and on a regular basis.

VI. How to contribute

9. Voluntary contributions to the Fund can be made by bank transfer or by cheque. Cheques should be to the order of the United Nations General Trust Fund, indicating "ICJ Trust Fund (TJA)" in the reference field, and sent to:

United Nations Headquarters
United Nations Treasury, 19th floor
Room No. M-19000
380 Madison Avenue
New York, NY 10017
United States of America

For bank transfer details, please contact the United Nations Treasury (telephone: 1 212 963 5801; fax: 1 212 963 2086).

10. For any additional information, please contact the Office of the Legal Counsel, Office of Legal Affairs (telephone: 1 212 963 5377; fax: 1 212 963 6430).